PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94746

Frederick W. HARTNER, et al

Appln. No.: National Stage of PCT/US2004/036574

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: May 8, 2006

Examiner: Unknown

For: PROCESSES FOR PREPARIN INTERMEDIATES THERETO

PROCESSES FOR PREPARING BICYCLO [3.1.0] HEXANE DERIVATIVES, AND

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/US2004/036574 dated May 20, 2005), together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanation: An English language abstract, submitted herewith, constitutes a concise statement of relevance for WO 02/00595 which is cited and discussed on page 3 of the specification.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: May 8, 2006

Substitute for Form 1449 A & B/PTO

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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	MODIFIED PTO/SB/08 A & B (08-03)				
Complete if A n O n/ 5 7 8 4 7 6					
	National Stage of				
Application Number	PCT/US2004/036574				
Confirmation Number	Unknown				
Filing Date	May 8, 2006				
First Named Inventor	Frederick W. HARTNER				
Art Unit	Unknown				
Examiner Name					
Attorney Docket Number	Q94746				

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number		Publication Date		
		Number	Kind Code ² (if known)	MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		US 6,333,428	B1	12/25/2001	ATSURO NAKAZATO, ET AL	
		US 6,160,009	Α	12/12/2000	STEVEN MARC MASSEY, ET AL	
		US 5,750,566	Α	05/12/1998	JAMES A. MONN, ET AL	
		US				
		US				
		US				
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Examiner Initials*	Cite No.1	Foreign Patent Document			Publication Date	Name of Patentee or	
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation ⁶
		EP	1 295 862	Al	03/26/2003	TAISHO PHARMACEUTICAL CO., LTD.	
		wo	02/00595	Al	01/03/2002	TAISHO PHARMACEUTICAL CO., LTD.	Abstract
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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation	

/Raymond Covington/ au 1625 9/23/2009 Examiner Signature Date Considered ALL REFERENCES CONSIDERED EXCEPT WHERE

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

'Applicant's unique citation designation number (optional). 'See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperink from the title of the document to the intrance.' Extent Office that issued the document, by the two-letter code (WIPO Standard ST. 1). 'For Japanese patent documents, the indication of the year of the reign of the Expertor mater procedure have refused by a particular to the document and the Conduction of the year of the reign of the Expertor mater procedure have failed in the Conduction of the parties of the conduction of the conduction of the parties of the conduction of the parties of the conduction of the conduction of the parties of the Applicant is to indicate here if English language Translation is attached.